

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE

ANDREW MASSARELLI and MICHELLE
MASSARELLI,

Plaintiffs,

v.

UNITED STATES OF AMERICA,

Defendant and
Third-Party Plaintiff,

v.

JEFFREY McCARTHY,

Third-Party Defendant.

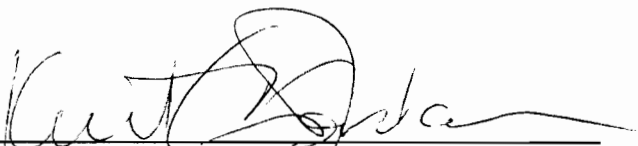
Civil Action No. 05-266-KAJ

ORDER

At Wilmington, this 17th day of May, 2006,

Defendant, the United States filed a motion to dismiss Count V of
plaintiffs' complaint (D.I. 5), and there being no opposition to the motion,

IT IS HEREBY ORDERED that the motion is GRANTED.


UNITED STATES DISTRICT JUDGE